

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT SEDORE,

Plaintiff,

v.

Case No. 2:22-cv-10060

District Judge Gershwin A. Drain

Magistrate Judge Kimberly G. Altman

SIRENNA LANDFAIR,
ALINDA FLORECK, VICTORIA
HALLETTS, MDOC, and CORIZON
HEALTH INC.,

Defendants.

_____ /

ORDER STRIKING
PLAINTIFF'S MOTION FOR THE
APPOINTMENT OF COUNSEL (ECF No. 44)
AND
PLAINTIFF'S MOTION TO
ENFORCE TERMS OF SCHEDULING ORDER (ECF No. 45)

I.

This is a prisoner civil rights case under 42 U.S.C. § 1983, Title II of the Americans with Disabilities Act, and § 504 of the Rehabilitation Act. Plaintiff Scott Sedore (Sedore), proceeding *pro se*, claims that defendants Sireнна Landfair,

Brian Stricklin,¹ Alinda Florek,² Victoria Halletts, the Michigan Department of Corrections, and Corizon Health Inc. retaliated against him for complaining about the healthcare he received while incarcerated. *See* ECF No. 1. Under 28 U.S.C. § 636(b)(1), all pretrial matters have been referred to the undersigned. (ECF No. 24).

Before the Court are Sedore's most recent motion for the appointment of counsel, (ECF No. 44), and most recent motion to enforce the terms of the scheduling order, (ECF No. 45). These motions are both the same as motions previously filed by Sedore that have already been ruled on by the Court. Additionally, both motions were filed during a stay. Accordingly, the Court will STRIKE both motions.

II.

On January 3, 2023, the Court conditionally granted Sedore's third motion for the appointment of counsel, (ECF No. 39). In the order, the Court explained that it would try to find Sedore counsel and that in the meantime the case would be **stayed for 60 days**. *See id.* The stay will be lifted by the Court either *after* an attorney is found for Sedore or the passage of 60 days.

¹ Brian Stricklin is no longer a defendant in this case having been dismissed without prejudice. *See* ECF No. 34.

² Spelling consistent with motion for summary judgment filed by other defendants.

On January 5, 2023, the Court entered an order, (ECF No. 43), striking Sedore's first motion to enforce the terms of the scheduling order, (ECF No. 42). In that order, the Court explained why it issued a second scheduling order and reminded Sedore that any motions filed while the case was stayed would be stricken. *See id.*

While the Court acknowledges that Sedore's motions and the Court's orders are likely getting crossed in the mail, Sedore should now be aware that his case is stayed for 60 days (until early March 2023) while the Court's *pro bono* program attempts to find him counsel. Sedore should also be aware that no motions shall be filed during the stay and any motions that are filed will be stricken.

III.

For the reasons set forth above, Sedore's most recent motion for the appointment of counsel, (ECF No. 44), and most recent motion to enforce the terms of the scheduling order, (ECF No. 45), are STRICKEN. **The parties are reminded that no motions and/or responses and replies to pending motions are to be filed until the Court lifts the 60-day stay.**

SO ORDERED.

Dated: January 9, 2023
Detroit, Michigan

s/Kimberly G. Altman
KIMBERLY G. ALTMAN
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on January 9, 2023.

s/Carolyn Ciesla
CAROLYN CIELSA
Case Manager